

Clover Pure Imported Olive Oil For Table and Medicinal Use U. S. P. European Olive Oils Co., Inc. Distributors, Brooklyn, N. Y. Contents 1½ Oz."

The article was alleged to be adulterated (1) in that a substance consisting essentially of cottonseed oil containing little or no olive oil, artificially colored in simulation of olive oil, had been substituted in whole or in part for olive oil which it was represented to be; (2) in that it was an imitation of olive oil consisting essentially of cottonseed oil containing little or no olive oil, and was inferior to olive oil, and its inferiority to olive oil had been concealed by the addition of artificial coloring; (3) in that artificial color had been added to or mixed or packed with it so as to make it appear better and of greater value than it was; and (4) in that it contained a coal tar color other than one from a batch that had been certified in accordance with regulations as provided by law.

It was alleged to be misbranded (1) in that the statement "Pure Imported Olive Oil," borne on the label, was false and misleading since it was not pure imported olive oil; (2) and that it consisted essentially of cottonseed oil artificially colored containing little or no olive oil and was offered for sale under the name of another food, olive oil; (3) in that it was an imitation of olive oil and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; (4) in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; (5) in that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each such ingredient; and (6) in that it contained artificial coloring and did not bear labeling stating that fact.

On October 28, 1943, the defendant having entered a plea of guilty, the court imposed a sentence of 3 months in jail and a fine of \$1 on count 1, and suspended sentence on count 2, placing the defendant on probation for 1 year.

5558. Adulteration and misbranding of imitation olive oil. U. S. v. 12 Cases of Imitation Olive Oil. Default decree of condemnation and destruction.
(F. D. C. No. 10122. Sample No. 32530-F.)

Analysis showed that this product consisted of vegetable oil and mineral oil, artificially colored and flavored, and that it contained 10 percent mineral oil.

On June 24, 1943, the United States attorney for the Northern District of Ohio filed a libel against 12 cases, each containing 24 bottles, of imitation olive oil at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about April 20, 1942, by the Atlantic Chemical Co., Inc., Brooklyn, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: (Label pasted on bottle) "Edvic Brand Imitation Olive Oil," (reverse side of label as seen through oil in bottle) "Contains the Following: Soya Bean Oil, Cotton Seed Oil, Artificial Fl. U. S. Certified Color Added. May be used for Hair Oil, Table use, or as a general substitute for Olive Oil."

The article was alleged to be adulterated in that an article containing mineral oil, a non-nutritive substance, had been substituted for a product offered for general food use; and in that a substance, mineral oil, having no food value, had been added thereto or mixed or packed therewith so as to reduce its quality or strength.

The article was alleged to be misbranded in that the statement, "Contains the Following: Soya Bean Oil, Cotton Seed Oil, Artificial Fl. U. S. Certified Color Added," was false and misleading as applied to a product containing mineral oil; and in that the statement of ingredients was not prominently placed on the label with such conspicuousness as to render it likely to be read by an ordinary individual under customary conditions of purchase and use.

On September 9, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5559. Misbranding of olive oil. U. S. v. 21 Cans of Olive Oil. Default decree of condemnation. Product ordered delivered to charitable institutions.
(F. D. C. No. 10114. Sample No. 44985-F.)

This product was short volume.

On June 19, 1943, the United States attorney for the District of Connecticut filed a libel against 21 cans of olive oil at Waterbury, Conn., alleging that the article had been shipped in interstate commerce on or about May 12, 1943, by the J. Ossola Co., from New York, N. Y.; and charging that it was misbranded in that the statement "Contents One Quart" was false and misleading as applied to an article that was short volume, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the